

Appl. No. 09/898,878
Reply Filed: April 3, 2006
Reply to Office Action of: December 1, 2005

REMARKS

In response to the Office Action of December 1, 2005, Applicant submits this Reply. In view of the following remarks, reconsideration is requested.

Claims 1-18 remain in this application, of which claims 1, 6, 11 and 15 are independent. No fee is due for claims for this Reply.

Rejection Under 35 U.S.C. §102

Claims 1, 6, 11 and 15, all of which are independent, were rejected under 35 U.S.C. §102 in view of U.S. Patent 5,164,839 ("Lang"). The rejection is respectfully traversed.

In the portion of Lang cited in the Office Action, namely Col. 10, lines 10-32, Lang states:

"During the foregoing procedures, DCU 14 may be utilized for editing operations. As the program is being read from the first or original recording media, it is simultaneously viewed on the TV screen, or listened to by means of an audio monitor, converted to digital signals, compressed and stored in memory 13. Once the digital audio/video program is stored in memory 13, editing is accomplished by the user through control of DCU 14, by means of a control panel (not shown) coupled to DCU 14. If desired, additional audio/video signals may be simultaneously entered into memory 13 and added to those received from VCU 12. The additional signals may be introduced from auxiliary digital input port 17 or from fiber optic input/output port 18 and may comprise video captions for super imposed position upon the stored video images, or they may be audio commentaries to be added to silent video presentations. In addition, as mentioned above, the order in which various segments appear in the video programs may be altered. Certain undesired segments, such as TV commercials, may be removed. This editing operation is accomplished under the control of DCU 14."

In the Office Action, it is asserted that this cited portion of Lang teaches the claimed "user interface for allowing user input of an attribute for storage with the clip, wherein the attribute is a value selected by the user from a set of three or more ordered values indicative of an assessment by the user of merit of the clip" as recited in claims 1 and 6. Similarly, claims 11 and 15 state that "attribute is a value from a set of three or more ordered values indicative of an assessment by the user of merit of the clip."

As is evident from the excerpt from Lang above, although Lang teaches that a user may input a video caption or audio commentaries, or may change the order of segments, Lang does

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not teach that a user may input an attribute, "wherein the attribute is a value selected by the user from a set of three or more ordered values indicative of an assessment by the user of merit of the clip" (claims 1 and 6) or "wherein the attribute is a value selected by the user from a set of three or more ordered values indicative of an assessment by the user of merit of the clip" (claims 11 and 15)

The Final Office Action asserts that the "audio commentaries" of Lang, that may be "added to silent video" correspond to the claimed "attribute". However the claims recite that the attribute is a value "from a set of three or more ordered values indicative of an assessment by the user of merit of the clip." The Office Action does not explain how an "audio commentary" is a value "from a set of three or more ordered values indicative of an assessment by the user of merit of the clip." The Office Action does not explain any factual findings made or any claim construction applied to reach this conclusion. Because Lang does not have a "set of three or more ordered values" from which a value can come from, and because an audio commentary is not "from a set of three or more ordered values," the rejection is traversed.

In summary, because Lang fails to teach this limitation of claims 1, 6, 11 and 15, the rejection is traversed.

The remaining claims are dependent claims that are allowable for at least the same reasons.

Rejection Under 35 U.S.C. §103

Claims 2-5, 7-10, 12-14 and 16-18, all of which claims dependent claims, were rejected under 35 U.S.C. §103 in view of U.S. Patent 5,802,361 ("Wang") and Lang. The rejection is respectfully traversed.

As noted above, Lang fails to teach at least the limitation found in all of the independent claims that the attribute is "a value . . . from a set of three or more ordered values indicative of an assessment by the user of merit of the clip." Therefore, all of these dependent claims are allowable for at least the same reasons as the independent claims.

Accordingly, the rejection is traversed.

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CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this reply, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, please charge any fee to Deposit Account No. 50-0876.

Respectfully submitted,

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